IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 6TH DECEMBER 2007 / 15TH AGRAHAYANA 1929

Bail Appl..No. 7507 of 2007()

CMP.9860/2007 of J.M.F.C.-I,NEDUMANGAD
C.R.144/07 OF ARYANAD EXCISE RANGE

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PETITIONERS/ACCUSED

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1. SADASIVAN, S/O KUTTAN PANICKER,
K.S.MANDIRAM, KODUNGINI, KOKKOTTELA,
KOTTAKKAKAM MURI, ARYANAD VILLAGE,
NEDUMANGAD TALUK.

2. CHANDRABABU, S/O KOCHUMANI,
VAYALARIKATHU VEEDU, KIDANGUMUKU,
KOTTAKKAKAM MURI, ARYANAD VILLAGE,
NEDUMANGAD TALUK.

BY ADV. SRI.NAGARAJ NARAYANAN
SRI.RAJAN VELLOTH
SRI.SAIJO HASSAN
SRI.A.S.SABU

RESPONDENTS: STATE

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR ADV.SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. No. 7507 OF 2007 A

Dated this the 6th day of December, 2007

O R D E R

Application for regular bail. The petitioners face allegations under the Kerala Abkari Act. The petitioners were allegedly found engaged in distillation of illicit arrack. They were allegedly having their possession 30 litres of wash and 30 litres of arrack when they were intercepted and arrested on 14/11/2007. The petitioners have no history of any criminal antecedents, submits the learned Public Prosecutor.

2. The learned counsel for the petitioners prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigating officer is granted reasonable further time to complete the investigation and I am satisfied that regular bail can be granted to the petitioners subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioners shall be enlarged on bail on the following terms and conditions:-

i) The petitioners shall not be released on bail on the strength of this order prior to 15/12/2007. The investigating officer shall, in the meantime, make every endeavour to complete the investigation.

ii) They shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioners shall make themselves available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of three months from the date of their release and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

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